

ASSIGNED

Nº 49053

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office. MAY 17 1985

Returned to applicant for correction.

Corrected application filed.

Map filed. MAY 17 1985

The applicant Hart Resources, Incorporated
4695 South, 1900 West, No. 3, of Roy,
Street and No. or P.O. Box No. City or Town
Utah 84067, hereby make^S application for permission to appropriate the public
State and Zip Code No.
 waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) December 1, 1983, Nevada

1. The source of the proposed appropriation is Underground
Name of stream, lake, spring, underground or other source
2. The amount of water applied for is 2.0 cfs second-feet
One second-foot equals 448.83 gals. per min.
 (a) If stored in reservoir give number of acre-feet Two ponds totaling about 10 acre-feet.
3. The water to be used for Mining, Milling & Domestic
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under "No. 12. Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, T31N,
Describe as being within a 40-acre subdivision of public
R43E, MDM, at a point from which the E $\frac{1}{4}$ corner of Section 24 bears
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
bears S. 35° 30' E. a distance of 1244 feet.
6. Place of use W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 19, T31N, R44E; Section 9, 10, 15 and 16,
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
T31N, R43E, and approximately 3 miles of haul road through Sections
13, 14 and 24, T31N, R43E, MDM.
7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Water will be pumped from an
existing cut in the alluvium State manner in which water is to be diverted, i.e. diversion structure, ditches and
into two storage ponds. The water will then be delivered by pipeline
flumes, drilled well with pump and motor, etc. to the millsite.
9. Estimated cost of works \$10,000

10. Estimated time required to construct works..... 3 years
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use..... 5 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.
Water will be in conjunction with waters developed by virtue of the exercise of Application Nos. 49038 and 49039. The applicant contends the water originally developed under Certificate No. 8130 (Permit No. 23927) has been forfeited and is available for appropriation. Water seeping or discharging into the ponds percolates back into the ground and is not returned to Duck Creek. s/Unledgeable

By..... Lawrence P. Smith, P.E. (Agent)
J.W. Patterson & Associates, Inc.
50 W. Liberty St., Suite 1020
Reno, Nevada 89501

Compared. mc./se.....

Protested. 7-9-85 Louie Venturacci, 7-23-85 Battle Mountain Gold Co.
W/D 10/30/02

.....DENIAL.....OF STATE ENGINEER

~~This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:~~

This application is hereby denied on the grounds that its approval would conflict with existing rights and would threaten to prove detrimental to the public interest. No ruling is made on the merits of the protests.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed on or before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed..... IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

Proof of beneficial use filed..... State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 6th day of October,

Cultural map filed..... A.D. 2003..

Certificate No..... Issued.....

Hugh Ricci, P.E.
State Engineer